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FACSIMILE COVER SHEET

DATE: April 29, 2005

FILE NO: AMAT/2592.C9/DSM/LOW K/JW

TO: Examiner: David Nhu

FAX NO: 571-273-1792

COMPANY: USPTO

FROM: Keith M. Tackett

PAGE(S) with cover: 3

ORIGINAL TO FOLLOW? ☐ YES ☒ NO

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TERMINAL DISCLAIMER AND FEE TRANSMITTAL

TITLE: Method of Decreasing the K Value in SIOC Layer Deposited by Chemical Vapor Deposition

U.S. SERIAL. NO.: 10/789,209

FILING DATE: February 27, 2004

INVENTOR: Gaillard, et al.

EXAMINER: David Nhu

GROUP ART UNIT: 2818

CONFIRMATION NO.: 9101

CONFIDENTIALITY NOTE

360363_1

COPY

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) AMAT/2592.C9/DSM/LOW K/JW

In re Application of: GAILLARD, ET AL.

Application No. 10/789,209

Filed: FEBRUARY 27, 2004

For: METHOD OF DECREASING THE K VALUE IN SIOC LAYER DEPOSITED BY CHEMICAL VAPOR DEPOSITION

The owner*, Applied Materials, Inc., of Santa Clara, California, having (100%) one-hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,627,532 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. his agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:
    expires for failure to pay a maintenance fee;
    is held unenforceable;
    is found invalid by a court of competent jurisdiction;
    is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
    has all claims canceled by a reexamination certificate;
    is reissued; or
    is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record. Reg. No. 32,008

_____ COPY 5/24/05
Signature   Date

Keith M. Tackett
Typed or printed name

713-623-4844
Telephone Number

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL for FY 2005		Application Number	10/789,209
		Filing Date	FEBRUARY 27, 2004
		First Named Inventor	GAILLARD, ET AL.
☐ Applicant claims small entity status. See 37 CFR 1.27		Examiner Name	DAVID NHU
		Art Unit	2818
TOTAL AMOUNT OF PAYMENT	($) 130.00	Attorney Docket No.	AMAT/2592.C9/DSM/LOW KJW

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____

☒ Deposit Account   Deposit Account Number: 20-0782/AMAT/2592.C9/KMT Deposit Account Name: Moser, Patterson & Sheridan, L.L.P.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below   ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s)   ☒ Credit any overpayments
    Under 37 CFR 1.16 and 1.17

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES	Small Entity	SEARCH FEES	Small Entity	EXAMINATION FEES	Small Entity	
Application Type	**Fee ($)**	**Fee($)**	**Fee($)**	**Fee($)**	**Fee($)**	**Fee($)**	**Fees Paid ($)**
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description		Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)		50	25
Each independent claim over 3 (including Reissues)		200	100
Multiple dependent claims		360	180

Total Claims	Extra Claims	Fee($)	Fee Paid ($)	Multiple Dependent Claims	
				Fee ($)	**Fee Paid ($)**
_____ -20 or HP= _____	x _____	= _____		_____	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee($)	Fee Paid ($)
_____ - 3 or HP= _____	x _____	= _____	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x	=	_____

4. OTHER FEE(S)

Fees Paid ($)

Non-English Specification, $130 fee (no small entity discount)

Other (e.g., late filing surcharge) : TERMINAL DISCLAIMER   **$130.00**

SUBMITTED BY

Signature	[signature]	Registration No. (Attorney/Agent)	32,008	Telephone	713-623-4844
Name (Print/Type)	Keith M. Tacket			Date	3/24/05